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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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8892

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EXAMINER

EWART, JAMES D

ART UNIT

PAPER NUMBER

2617

DATE MAILED: 11/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/820,893	Applicant(s) ROUSU ET AL.	
	Examiner James D. Ewart	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 3 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20,22-41 and 43-47 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 41 is/are allowed.
- 6) ☒ Claim(s) 1-20,22-40 and 43-47 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Arguments

1. Applicant's arguments filed 03 July, 2006, have been fully considered by Examiner, the Examiner disagrees with Applicants arguments except for the argument of claim 47.

2. Regarding the Argument that the Applicant teaches that the location data is unrelated to the speech or data, the Examiner disagrees. Both Applicant and Sandhu teach a group of devices that communicate with one another and providing their location to the group. In 0007 Applicant states: "transmitting, with the speech or data, information about the location of the mobile device to a predetermined group of users" and in 0032 "In step 202 it is checked whether the mobile device is starting to transmit or is transmitting speech using predetermined transmission resources. If this is not the case, the algorithm waits until speech transmission starts. If *speech* is being transmitted, *location related* information is transmitted in step 204 using the same transmission resources as in the speech transmission." Indicating that the location data of Applicants is very much related to the data or speech sent. *It would defeat the purpose to provide unrelated location data.* In Column 2, Line 34, Sandhu states: "The present invention includes a system and a method for a mobile user to obtain the location of another mobile user. A mobile unit tracks its own location through a location-determining technology, for example GPS, time difference of arrival (TDOA), or angle of arrival (AOA). In addition, the mobile unit receives input from users. The mobile unit encapsulates the location data and the user input in an outbound package, and transmits the outbound package to a service provider via a communication network and a data network.....the service provider forwards the announcement to the proper recipients indicated in the outbound package, with a location stamp

Art Unit: 2617

indicating the location of the sender mobile unit” and in column 8, lines 14-17 states: “If the user-to-user communication involves user interface device 14-i, the exchanged messages may have a location stamp even if the communication does not involve service provider 8, because mobile unit 10-i derives and stores location data.” Since Sandhu indicates that the mobile device determines and provides the location information, when combined with Kinnunen et al., the information regarding the method of location determination would be provided via the mobile phone.

3. Regarding the argument that Kinnunen et al. does not teach information regarding a method with which the location was determined, the Examiner disagrees. Kinnunen et al. teaches in Column 2, Lines 43-47 that the “reliability of location information may refer to (ii) its accuracy”. Kinnunen et al further teaches a plurality of location information sources in Lines 57-65 including GPS, TOA, EOTD etc.... and in Column 8, Lines 35-40 states that the sources have different accuracies and in lines 62-65 attaching the source and time of its receipt with the location and Column 9, lines 1-4 indicates sending this information to a service so that the service can determine the reliability of the information.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Art Unit: 2617

5. Claims 1, 25,28,35,38,43,45,46 and 47 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Providing location data that is unrelated to the speech or data is new matter. In 0007 Applicant states: "transmitting, with the speech or data, information about the location of the mobile device to a predetermined group of users" and in 0032 "In step 202 it is checked whether the mobile device is starting to transmit or is transmitting speech using predetermined transmission resources. If this is not the case, the algorithm waits until speech transmission starts. If *speech* is being transmitted, *location related* information is transmitted in step 204 using the same transmission resources as in the speech transmission." Indicating that the location data of Applicants is very much related to the data or speech sent. *It would defeat the purpose to provide unrelated location data.*

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless – (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 25, 38, 45 and 46 are rejected under 35 U.S.C. 102(b) as being anticipated by Sandhu et al. (U.S. Patent No. 6,867,733).

Referring to claims 25, 45 and 46, Sandhu et al teaches a data communication method in a communication system (Column 2, lines 34-35), comprising: transmitting and receiving speech and/or data by means of a mobile device of the communication system and by using a predetermined transmission resource (Column 2, Lines 58-61), determining the location of the mobile device of the communication system (Column 2, Lines 36-38), transmitting with the speech or data, information about the location of the mobile device to a predetermined group of users by using a predetermined transmission resource (Column 2, Lines 58-61) taking predefined privacy levels assigned to predetermined groups or to users belonging to predetermined groups are taken into account in the transmission of information about the location of the mobile device and wherein the location information is unrelated to the speech or data transmission by the predetermined transmission resource (Column 5, Lines 53-65).

Referring to claim 38, Sandhu et al teaches a telecommunication system (Column 2, lines 34-35), comprising: mobile devices and at least one network element (Figure 1), the system comprising means to determine the location of a mobile device (Column 2, Lines 36-38), transmitting means in the mobile device to transmit speech and/or data to the network element by using a predetermined transmission resource (Column 2, Lines 58-61), and to transmit information about the location of the mobile device by using the same predetermined transmission resources (Column 2, Lines 58-61), wherein predefined privacy levels assigned to predetermined groups or to users belonging to predetermined groups are taken into account in the transmission of information about the location of the mobile device (Column 5, Lines 53-65), a network server configured to receive information about the location of the mobile device (Figure

Art Unit: 2617

4), wherein the information about the location of the mobile device is unrelated to the transmitted speech and/or data (Column 2, Lines 39-43 and Figure 4), and a network server configured to store the information (Figure 4).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-9, 12,14,18-20,22-24,28-30,35,36,39,40 and 43 are rejected under 35

U.S.C. 103(a) as being unpatentable over Sandhu et al in view of Kinnunen et al. (U.S. Patent No. 5,544,225).

Referring to claims 1, 28, 35, 40 and 43, Sandhu et al teaches a data communication method in a communication system (Column 2, lines 34-35), comprising: transmitting and receiving speech and/or data by means of a mobile device of the communication system and by using a predetermined transmission resource (Column 2, Lines 58-61), determining the location of the mobile device of the communication system (Column 2, Lines 36-38), transmitting with the speech or data, information about the location of the mobile device to a predetermined group of users by using a predetermined transmission resource (Column 2, Lines 58-61) wherein the location information is unrelated to the speech or data transmitted by the predetermined transmission resource (Column 2, Lines 39-43), but does not teach wherein the

Art Unit: 2617

location information includes information regarding a method with which the location was determined. Kinnunen et al. teaches wherein the location information includes information regarding a method with which the location was determined (Column 2, Lines 22-24, 47 & 58-64 and Column 8, Lines 62-65). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Sandhu et al with the teaching of Kinnunen et al. wherein the location information includes information regarding a method with which the location was determined to indicate the accuracy of the location data (Column 8, Lines 36-38). Referring to claim 40, Sandhu et al further teaches wherein the time when the location was determined is included in the location information (Column 4, Line 66 to Column 5, Line 2).

Referring to claim 2, Sandhu et al further teaches determining the location in the mobile device (Column 2, Line 36).

Referring to claims 3 and 30, Sandhu et al further teaches determining the location using a satellite positioning system (Column 2, Lines 37).

Referring to claims 4 and 29, Sandhu et al. further teaches establishing a packet switched connection between the mobile device and a network element of the communication system as the predetermined transmission resource (Figure 2, 32).

Referring to claim 5, Sandhu et al further teaches transmitting information about the location in response to a command given by the user of the device (Column 2, Lines 39-43).

Referring to claim 6, Sandhu et al further teaches detecting a change in the location of the mobile device; transmitting information about the location on the basis of the detection (Column 3, Lines 2-5 & Column 6, Lines 11-14).

Referring to claim 7, Sandhu et al further teaches wherein the mobile device is participating a group call (Column 5, Lines 38-43 and Column 8, Lines 11-12).

Referring to claim 8, Sandhu et al further teaches wherein the predetermined group of users is participating in a group call (Column 5, Lines 38-43 & Column 8, Lines 11-12).

Referring to claim 9, Sandhu et al further teaches wherein at least one user of the predetermined group of users receives the information about the location using a mobile device (Column 2, Lines 34-35).

Referring to claim 12, Sandhu et al further teach wherein at least one packet comprising information about the location is transmitted among speech or data packets (Column 2, Lines 39-43 and Column 7, Lines 37-39).

Art Unit: 2617

Referring to claim 14, Sandhu et al further teaches wherein the information about the location of the mobile device is sent as a separate message (Column 6, Lines 4-6 and Column 4, Lines 64-66).

Referring to claim 18, Sandhu et al further teaches receiving a location query from the system (Column 6, Lines 4-6), and determining and transmitting information about the location of the mobile device in response to the query (Column 5, Line 67). The mobile device request is from the system.

Referring to claim 19, Sandhu et al. further teaches wherein each device participating in the group call transmits information about its location to a predetermined participant in the group call (Column 2, Lines 39-43), and the predetermined participant in the group call transmits the information about the location of each device to all participants (Column 2, Lines 58-62). Examiner equates the service provider server with the predetermined participant.

Referring to claim 20, Sandhu et al further teaches wherein the time when location was determined is included in the location information (Column 4, Line 66 to Column 5, Line 2).

Referring to claim 22, Sandhu et al further teaches transmitting location information to a network server connected to the communication system (Column 2, Lines 39-43 and Figure 4), and storing location information in the network server (Figure 4).

Art Unit: 2617

Referring to claim 23, Sandhu et al further teaches wherein the location information is sent without intervention by the user of the device (Column 4, Lines 63-66).

Referring to claim 24, Sandhu et al further teaches wherein the information about the location of the mobile device is used as input information for an application running in a mobile device or a computer (Column 3, Lines 6-10).

Referring to claim 36, Sandhu et al further teaches further comprising a network element configured to act as a group management server (Column 8, Lines 36-38) and at least two mobile devices configured to participate in a group call (Column 2, Lines 34-35 & 58-62 and Column 5, Lines 35-47).

Referring to claim 39, Sandhu et al further teaches a network server configured to transmit location information relating to a mobile device to a group of other devices (Column 2, Lines 58-62 and Figure 4).

8. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sandhu et al and Kinnunen et al. in view of Jones (US Patent Publication No. 2003/0079135)

Referring to claim 10, Sandhu et al and Kinnunen et al. teach the limitations of claim 10, but do not teach wherein at least one user receives the information about the location by using a personal computer. Jones teaches wherein at least one user receives the information about the

Art Unit: 2617

location by using a personal computer (0012 and Figure 1, 19). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Sandhu et al and Kinnunen et al. with the teaching of Jones wherein at least one user receives the information about the location by using a personal computer to allow others to monitor progress on a journey (0012).

9. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sandhu et al and Kinnunen et al. in view of Kennedy, III et al. (US Patent No. 5,544,225)

Referring to claim 11, Sandhu et al and Kinnunen et al. teach the limitations of claim 10, but do not teach wherein at least one packet comprising information about the location replaces at least one speech or data packet. Kennedy, III et al. teaches wherein at least one packet comprising information about the location replaces at least one speech or data packet (Column 22, Lines 35-45). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Sandhu et al and Kinnunen et al. with the teaching of Kennedy, III et al. wherein at least one packet comprising information about the location replaces at least one speech or data packet to provide location information via a voice or data connection (Column 8, Lines 54-56).

Referring to claim 44, Sandhu et al further teaches the distribution medium comprising a computer readable medium (Figure 2, 17-i), a program storage medium (Column 2, Lines 58-62 and Figure 4), a record medium (Column 2, Lines 38-39), a computer readable memory

Art Unit: 2617

(Column 2, 17-i), a computer readable software distribution package (Column 4, Line 10) , a computer readable signal (Figure 1), a computer readable telecommunications signal (Figure 1), and although Sandhu et al teaches using a PDA and Laptop he does not specifically state using a compressed software package. Kennedy III et al teaches using a compressed software package (Column 9, Lines 57-60). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Sandhu et al and Kinnunen et al. with the teaching of Kennedy III et al of using a compressed software package to provide location information via a voice or data connection (Column 8, Lines 54-56).

10. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sandhu et al and Kinnunen et al. in view of Schuster et al. (US Patent No. 6,577,622).

Referring to claim 13, Sandhu et al and Kinnunen et al. teach the limitations of claim 13, but do not teach wherein each packet comprises information about whether it contains speech, data or information about the location of the mobile device. Schuster et al. teaches wherein each packet comprises information about whether it contains speech, data or information about the location of the mobile device (Column 18, Lines 27-32). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Sandhu et al and Kinnunen et al. with the teaching of Schuster et al. wherein each packet comprises information about whether it contains speech, data or information about the location of the mobile device to enable an application to identify the type of packet (Column 18, Lines 27-32).

Art Unit: 2617

11. Claims 15, 32 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sandhu et al and Kinnunen et al. in view of Salovuori (US Patent Publication No. 2002/0196781)

Referring to claim 15, Sandhu et al and Kinnunen et al. teach the limitations of claim 15, but do not teach detecting a pressing of a predetermined key of the mobile device, activating speech transmission on the basis of the detection. Salovuori teaches detecting a pressing of a predetermined key of the mobile device, activating speech transmission on the basis of the detection (0052). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Sandhu et al and Kinnunen et al. with the teaching of Salovuori of detecting a pressing of a predetermined key of the mobile device, activating speech transmission on the basis of the detection in a group call to request resources for speech (0052).

Referring to claim 32, Sandhu et al and Kinnunen et al. teach the limitations of claim 32, but do not teach a keyboard with at least one key, means to detect a pressing of a predetermined key of the keyboard, means to activate speech transmission on the basis of the detection. Salovuori teaches a keyboard with at least one key, means to detect a pressing of a predetermined key of the keyboard, means to activate speech transmission on the basis of the detection (0052). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Sandhu et al and Kinnunen et al. with the teaching of Salovuori of a keyboard with at least one key, means to detect a pressing of a predetermined key of the keyboard, means to activate speech transmission on the basis of

Art Unit: 2617

the detection to request resources for speech in a group call (0052). Examiner equates keyboard with user interface keys.

Referring to claim 37, Sandhu et al and Kinnunen et al. teach the limitations of claim 37, but do not teach keyboard with at least one key, means to detect a pressing of a predetermined key of the keyboard, and means to signal a transmission request to the network element on the basis of the detection, wherein the network element is configured to receive the request and allocate transmission turns between the mobile devices on the basis of the requests received from the mobile stations.. Salovuori teaches keyboard with at least one key, means to detect a pressing of a predetermined key of the keyboard, and means to signal a transmission request to the network element on the basis of the detection, wherein the network element is configured to receive the request and allocate transmission turns between the mobile devices on the basis of the requests received from the mobile stations (0052). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Sandhu et al and Kinnunen et al. with the teaching of Salovuori of a keyboard with at least one key, means to detect a pressing of a predetermined key of the keyboard, and means to signal a transmission request to the network element on the basis of the detection, wherein the network element is configured to receive the request and allocate transmission turns between the mobile devices on the basis of the requests received from the mobile stations to request resources for speech in a group call (0052). Examiner equates keyboard with user interface keys.

Art Unit: 2617

12. Claim 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sandhu et al, Kinnunen et al. and Salovuori and further in view of Haartsen (US Patent Publication No. 2003/0048806)

Referring to claim 16, Sandhu et al, Kinnunen et al. and Salovuori teach the limitations of claim 16 including transmitting location information, but do not teach transmitting the information before the transmission of speech or data. Haartsen teaches transmitting the information before the transmission of speech or data (Figure 2). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Sandhu et al, Kinnunen et al. and Salovuori with the teaching of Haartsen of transmitting the information before the transmission of speech or data to prevent address contention in address list generation in overlapping, uncoordinated networks (0002).

Referring to claim 17, Sandhu et al, Kinnunen et al. and Salovuori teach the limitations of claim 17 including transmitting location information, but do not teach transmitting the information in a predefined part of the transmission. Haartsen teaches transmitting the information in a predefined part of the transmission (Figure 2). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Sandhu et al, Kinnunen et al. and Salovuori with the teaching of Haartsen of transmitting the information in a predefined part of the transmission to prevent address contention in address list generation in overlapping, uncoordinated networks (0002).

Art Unit: 2617

13. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sandhu et al. in view of Grube et al. (US Patent No. 6,885,874)

Referring to claim 26, Sandhu et al. teaches the limitations of claim 26, but does not teach wherein transmission of location related information is triggered by an external event detected by a sensor of the mobile device. Grube et al. teaches wherein transmission of location related information is triggered by an external event detected by a sensor of the mobile device (Column 3, Lines 45-51). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Sandhu et al. with the teaching of Grube et al. wherein transmission of location related information is triggered by an external event detected by a sensor of the mobile device to provide a group call with location sharing (Column 3, Lines 18-20).

14. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sandhu et al. in view of Kennedy, III et al.

Referring to claim 27, Sandhu et al. teaches the limitations of claim 27, but does not teach wherein transmission of location related information is triggered by a voice command or a sound. Kennedy, III et al. teaches wherein transmission of location related information is triggered by a voice command or a sound (Column 8, Lines 12-14 and Column 14, Lines 29-31). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Sandhu et al. with the teaching of Kennedy,

Art Unit: 2617

III et al. wherein transmission of location related information is triggered by a voice command or a sound to provide location information via a voice or data connection (Column 8, Lines 54-56).

Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sandhu et al and Kinnunen et al. in view of Tano et al. (US Patent No. 5,828,987)

Referring to claim 31, Sandhu et al and Kinnunen et al. teach the limitations of claim 31, but do not teach determining the location of the mobile device using an inertia navigation arrangement. Tano et al. teaches determining the location of the mobile device using an inertia navigation arrangement (Column 2, Lines 2-19). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Sandhu et al and Kinnunen et al. with the teaching of Tano et al. of determining the location of the mobile device using an inertia navigation arrangement to provide location data when GPS reception is difficult due to tunnels and other obstacles blocking the GPS signals (Column 1, lines 8-12).

15. Claims 33 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sandhu et al and Kinnunen et al. and further in view of Haartsen.

Referring to claim 33, Sandhu et al and Kinnunen et al. teach the limitations of claim 33 including transmitting location information, but do not teach transmitting the information before

Art Unit: 2617

the transmission of speech or data. Haartsen teaches transmitting the information before the transmission of speech or data (Figure 2). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Sandhu et al and Kinnunen et al. with the teaching of Haartsen of transmitting the information before the transmission of speech or data to prevent address contention in address list generation in overlapping, uncoordinated networks (0002).

Referring to claim 34, Sandhu et al and Kinnunen et al. teach the limitations of claim 34 including transmitting location information, but do not teach transmitting the information in a predefined part of the transmission. Haartsen teaches transmitting the information in a predefined part of the transmission (Figure 2). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Sandhu et al and Kinnunen et al. with the teaching of Haartsen of transmitting the information in a predefined part of the transmission to prevent address contention in address list generation in overlapping, uncoordinated networks (0002).

16. Claim 47 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sandhu et al in view of Silventoinen et al. (U.S. Patent No. 6,108,553) and further in view of Kinnunen et al.

Referring to claim 47, Sandhu et al teaches a data communication method in a communication system (Column 2, lines 34-35), comprising: transmitting and receiving speech and/or data by means of a mobile device of the communication system and by using a predetermined transmission resource (Column 2, Lines 58-61), various location determining

Art Unit: 2617

technologies (Column 2, Lines 36-38), determining the location of the mobile device of the communication system (Column 2, Lines 36-38), transmitting with the speech or data, information about the location of the mobile device to a predetermined group of users by using a predetermined transmission resource (Column 2, Lines 58-61) wherein the location information is unrelated to the speech or data transmitted by the predetermined transmission resource (Column 2, Lines 39-43), but does not teach wherein the location information includes timing information of received signals. Silventoinen et al. teaches wherein the location information includes timing information of received signals (Column 3, Lines 5-10). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Sandhu et al. with the teaching of Silventoinen et al. wherein the location information includes timing information of received signals as a means to calculate the position of the mobile station (Column 3, Lines 5-6). Sandhu et al. and Silventoinen et al. teach the limitations of claim 47, but do not teach wherein the location information includes information regarding a method with which the location was determined. Kinnunen et al. teaches wherein the location information includes information regarding a method with which the location was determined (Column 2, Lines 22-24, 47 & 58-64 and Column 8, Lines 62-65). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Sandhu et al and Silventoinen et al with the teaching of Kinnunen et al. wherein the location information includes information regarding a method with which the location was determined to indicate the accuracy of the location data (Column 8, Lines 36-38).

Allowable Subject Matter

17. Claim 41 is allowed. The reason for allowable subject matter is provided below:

Referring to claim 41, the references cited do not teach a network server configured to receive a location information request, to send location information updated within a given time limit as a response to the request, and to request the updating of location information not updated within the given time limit.

Conclusion

18. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Czaja et al. U.S. Patent Publication No. 2003/0100314 discloses synchronization of mobile station location measurements with CDMA service.

Stein U.S. Patent Publication No. 2003/0054832 discloses method and apparatus for detecting excess delay in a communication signal.

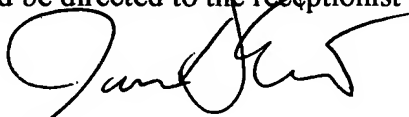
19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James D. Ewart whose telephone number is (571) 272-7864. The examiner can normally be reached on M-F 7am - 4pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (571)272-7872. The fax phone numbers for the organization where this application or

Art Unit: 2617

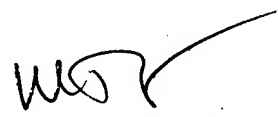
proceeding is assigned are (571) 273-8300 for regular communications and (571) 273-8300 for

After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571)272-2600.



James Ewart
November 7, 2006



WILLIAM TROST
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